

STATE OF RHODE ISLAND :
AND PROVIDENCE PLANTATIONS :

DEPARTMENT OF HEALTH :
DIVISION OF EMERGENCY MEDICAL :
SERVICES :

EMS File 05-018A

vs. :

PETER W. GINGERELLA :

CONSENT ORDER

Pursuant to Chapter 23-4.1 of the General Laws of the State of Rhode Island, 1956, as Amended and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health, Division of Emergency Medical Services (hereinafter ("Department")), has investigated a complaint charging Peter W. Gingerella (hereinafter "Respondent"), with a violation of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

After careful consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

- 1) Respondent is a licensed EMT-Basic in Rhode Island.
- 2) That at all pertinent times Respondent was employed by the Westerly Ambulance Corps and/or the Charlestown Ambulance Rescue Service.
- 3) That on or about May 19, 2005, Respondent did attempt to start an intravenous infusion on a patient without being licensed at a level authorized to perform advanced life support as defined in the State of Rhode Island Prehospital Care Protocols and Standing Orders and the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

- 4) That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as defined in Section 16.1 (i) of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

The parties agree as follows:

1. Respondent is a licensed EMT-Basic in Rhode Island and able to conduct business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is 39 Wich Way, Hopkinton, RI 02833.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to final ratification by the Department. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;

- g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
- 5. This Consent Order shall become a part of the public record of this proceeding once it is accepted by all parties.
 - 6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of a violation of Section 16.1 (i) of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).
 - 7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
 - 8. Respondent voluntarily accepts the Sanction of a Reprimand.
 - 9. That this Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.


Signed this 3rd day of August.


Peter W. Gingerella

Ratified as an order of the Department on this 9 day of August 2005.

Dated: _____

8/9/05



Charles Alexandre, Chief
Health Professions Regulation
Health Services Regulation